

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F041153 In re Kameron J., a Minor.

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Pursuant to rule 38, California Rules of Court, it is further ordered that the remittitur issue forthwith.

F039540 Horan v. Key Production Company, Inc.

The judgment is affirmed. Harris, J.

We concur: Vartabedian, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F041042 In re Lisette G. et al., Minors

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F039650 People v. Agee

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039650 People v. Agee

The judgment is reversed. The case is remanded to the trial court with directions. (1) to permit Agree to withdraw his plea should the sentencing court chose to impose a sentence in excess of the plea agreement, or (2) to resentence Agee according to the terms of the original plea bargain.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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- F036202 People v. Brookins, Jr., et al.**
The judgment is affirmed. Dibiaso, J.
We concur: Ardaiz, P.J.; Levy, J.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039269 People v. Razo**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F039269 People v. Razo**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F040878 Lorraine N., v. Fresno Co. Dept. of Children & Family Services**
The petition for extraordinary writ is denied. This opinion is final forthwith as to this court.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039359 People v. Medina**
Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F039359 People v. Medina**
The judgment is affirmed.
By the Court.
[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F039527 People v. O'Leary**

IN THE

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Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039527 People v. O'Leary

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F040207 In re Randy M., a Minor

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F040207 In re Randy M., a Minor

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038809 People v. Rosales

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F038809 People v. Rosales

The court's order denying reinstatement of probation and sentencing appellant to prison is reversed, and the matter remanded for further appropriate proceedings (concurring opinion).

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039703 People v. Kousol

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

F039703 People v. Kousol

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039957 In re N. S., a Minor.

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039957 In re N. S., a Minor.

The order terminating parental rights is reversed. The matter is remanded to the trial court with directions to enter an order declaring appellant to be the presumed father of N. S. and conduct further proceedings to resolve appellant's request for placement and, in the alternative, to order reunification services for his and N. S.'s benefit.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F038485 People v. Smithson

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

F039615 People v. Shoemake

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

IN THE
Court of Appeal of the State of California

IN AND FOR THE
Fifth Appellate District

F038485 Peopel v. Smithson

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039615 People v. Shoemake

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F039503 People v. Vigil

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the case is submitted for decision.

F039503 People v. Vigil

The judgment is reversed. The case is remanded to the trial court for it to determine whether a condition of Vigil's plea agreement was that he serve a sentence no greater than 25 years to life. If the court determines that a limit on Vigil's sentence was not a condition of the plea agreement, the court shall exercise its discretion under the three strikes law to sentence Vigil to prison for the upper term, the midterm, or the lower term. If the court finds there is a condition to the plea agreement limiting Vigil's sentence to 25 years to life, the court may resentence Vigil according to the terms of the plea agreement. Should the court exercise its discretion to sentence Vigil to a sentence of 33 years to life, it shall permit Vigil to withdraw his plea should he decide to do so.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]